

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WRIT PETITION NO.14317 of 2014

P.Chinnusamy

...Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
TANGEDCO, Anna Salai, Chennai - 2.

2. The Executive Engineer (O & M)
Tamil Nadu Electricity Board,
TANGEDCO, Namakkal.

3. K. Veeramuthu

...Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to conduct proper enquiry about the activities of the respondents 2 and 3 and collect domestic tariff from the 3rd respondent office commercial activities conducted in the said premises bearing Door No.2/25, N.Pudupatti Village & Post, Namakkal Taluk & District and collect the arrears of electricity consumption charges from the 3rd respondent as commercial tariff for the period from 29.05.2007 to 17.12.2012.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.S.K.Rameshwar for R1 & R2
Mr.P.Rajavel for R3

O R D E R

Seeking a direction to the first respondent to conduct proper enquiry about the activities of respondents 2 and 3 and collect domestic tariff from the 3rd respondent for the commercial activities conducted in the said premises bearing Door No.2/25, N.Pupupatti Village & Post, Namakkal Taluk & District and collect the arrears of electricity consumption

charges from the 3rd respondent as commercial tariff for the period from 29.5.2007 to 17.12.2012, the present writ petition has been filed.

2. Heard the learned counsel appearing for the petitioner, learned counsel appearing for respondents 1 and 2 and the learned counsel appearing for the third respondent.

3. There appears to be a dispute between the petitioner on the one hand and the third respondent on the other hand. There are allegations and counter allegations. One such allegation of the petitioner is with respect to the unauthorised/illegal use of the electricity by the third respondent for commercial purpose, though the connection has been obtained for domestic purpose.

4. Pursuant to the allegations made, the second respondent has made an inspection and found that it is not factually correct. Learned counsel appearing for the petitioner would submit that it is for the prior period. This Court is not inclined to conduct a roving enquiry nor expect the second respondent to take sides in a private dispute between the petitioner and the third respondent. What is sufficient is the satisfaction of the second respondent, who represents before this Court through the counsel, that the allegations are not true. Nothing more is required as the petitioner does not have a vested right nor he is a person aggrieved.

5. In view of the above, the writ petition stands closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

mmi/av

To

1. The Chairman,
Tamil Nadu Electricity Board,
TANGEDCO, Anna Salai, Chennai - 2.

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2. The Executive Engineer (O & M)
Tamil Nadu Electricity Board,
TANGEDCO, Namakkal.

W.P. NO.14317 of 2014

KK (CO)
VR(19/06/2017)



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